

(Begin Belt 5A)

LB957

March 6, 1974

cannot in good judgment and confidence vote against this bill. Because this bill is designed only, only to affect those individuals who defy the original court order and therefore, I say, the bill needs to be advanced to E & R and become law and I hope you agree with me on it. Thank you.

PRESIDENT: Senator Schmit has closed. Those in favor of advancing LB957 vote aye. Those opposed vote nay. Senator Whitney voting aye.

CLERK: Senator Whitney voting aye.

PRESIDENT: Please pay attention to voting. Have you all voted? Clerk will record.

CLERK: 28 ayes, 10 nays, 11 not voting.

PRESIDENT: The bill advances. The next bill is LB961.

CLERK: Read title LB961. There are committee amendments from Senator Kennedys Public Health and Welfare Committee.

PRESIDENT: Senator Kennedy.

SENATOR KENNEDY: No response.

SENATOR SCHMIT: I'll handle the committee amendments if you want.

PRESIDENT: Senator Schmit.

SENATOR SCHMIT: The committee amendments also provide that the Clerk of the Court shall keep the records and that in the event that the delinquency occurs in the child support payments that the clerk shall deliver it to the judge of the District Court. A record of such delinquencies and the district judge then shall appoint an attorney to institute contempt proceedings. Now I've very carefully protected the attorneys here because the suggestion was made that this should be county attorney proceeding but I do not believe so. I believe that the Clerk of the Court should....or pardon me, the district judge should provide an attorney. It does these things. The attorney shall bring contempt proceedings. If the person against whom the proceedings are being brought is found to be indigent, then the county shall pay but if the person who is in arrears has resources, then that person shall pay. And the clerk, when these contempt proceedings are brought before the court, the individuals then will be prosecuted in accordance with those sections of the law that have been described here before. Now this is the first step I think will take place before LB957 comes into play. If in the course of exercising LB961, the judicial procedure breaks down as it sometimes does, then LB957 will come into play. It will be just one additional little incentive plan and I think these are two or three incentives toward payment of prompt child support. I want to suggest this because in every case where they say the individual needs more time or someone has had an unfortunate experience, no one ever says how do the children eat. Now, I have some children of my own and I have never once found them to say I'm not hungry today, Dad, because the cattle market dropped. I'm not hungry today, Dad, because we had a hail storm and knocked out 300 acres of corn.